

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA
THIRD DIVISION**

In Re: Bankruptcy No. 09-34878
Chapter 7 Case

Kurt C. Lensert

Debtor.

**MOTION FOR APPROVAL
OF ATTORNEY'S FEES**

Steven R. Rutzick submits the following:

1. The Court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334, 11 U.S.C. §§ 327, 328, 329, 330 or 331, Bankruptcy Rules 2002, 2016, 9013 and 9014 and Local Rules 2016-1, 9013-1, 9013-2, 9013-3 and 9019-1. This is a core proceeding. The petition commencing this case was filed on July 15, 2009.
2. The Court will hold a hearing on this motion at 2:00 p.m. on December 1, 2010, in Courtroom 2B, 2nd Floor, United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, or as soon thereafter as counsel may be heard.
3. Any response to this motion must be filed and delivered no later than November 26, 2010, which is five (5) days before the time set for the hearing (including Saturdays, Sundays, and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**
4. That the Court by its Order dated January 5, 2010, approved the employment of Steven R. Rutzick, Esq., of Rutzick Law Offices, P.A., as attorney for the bankruptcy estate of the debtor. A copy of said appointment is attached hereto as Exhibit A and incorporated herein.
5. That no retainer or other reimbursement or deposit against expenses have been paid to said attorney.
6. That no prior applications for compensation have been filed.
7. That Movant has made no agreement with the debtor or any other person for the division of any fees which may be allowed pursuant to this Motion prohibited by 11 U.S.C. § 504, other than with members of Movant's law firm.
8. That to the best of Movant's knowledge, there are no unpaid administrative expenses, except as may be detailed in the Trustee's Final Account Before Distribution, which is being submitted to the United States Trustee concurrently herewith.

9. That the attorney has performed services of the following nature on behalf of Debtor's bankruptcy estate:

That I pursued a third party claim on behalf of the debtor resulting from a motor vehicle collision occurring on November 29, 2008, and that I have made a settlement recovery in the amount of \$100,000 on behalf of the debtor.

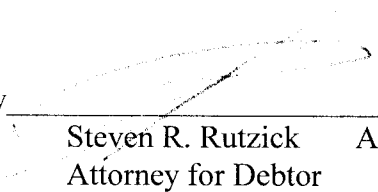
10. That attached as Exhibit B is a copy of my Retainer Agreement with the Trustee. Legal counsel seeks an award of compensation for fees in the amount of \$33,333.33. Legal counsel has also incurred out of pocket expenses in the amount of \$1,901.30.

WHEREFORE, Movant requests an Order of the Court allowing compensation to said attorney in the amount of \$33,333.33 for fees and \$1,901.30 for expenses for a total award of \$35,234.63.

Dated: October 27, 2010

RUTZICK LAW OFFICES, P.A.

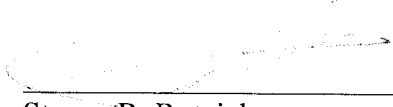
By


Steven R. Rutzick A.R.N. 94675
Attorney for Debtor
101 East Fifth Street
Suite 2620
St. Paul, Minnesota 55101
(651) 221-1022

VERIFICATION

I, Steven R. Rutzick, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Dated: October 27, 2010



Steven R. Rutzick

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA
THIRD DIVISION

In Re:

Bankruptcy 09-34878
Chapter 7 Case

Kurt C. Lensert,

ORDER

Debtor.

On January 5, 2010, the Application to Rutzick Law Offices, P.A. as agent came before the undersigned. Based on the Application, the Recommendation of the United States Trustee, and pursuant to the provisions of Title 11, United States Code, § 327,

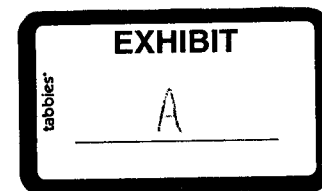
IT IS HEREBY ORDERED the professional employment applied for is hereby approved subject to the limitations on compensation provided by Title 11, United States Code, § 328.

Dated: January 5, 2010.

/e/ Gregory F. Kishel

Gregory F. Kishel
United States Bankruptcy Judge

NOTICE OF ELECTRONIC ENTRY AND
FILING ORDER OR JUDGMENT
Filed and Docket Entry made on **01/05/2010**
Lori Vosejka, Clerk, By lje, Deputy Clerk



**UNITED STATES BANKRUPTCY COURT
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**APPLICATION FOR EMPLOYMENT
OF ATTORNEY**

1. Applicant is the trustee in this case.
2. Applicant believes that the employment of an attorney is necessary to represent or assist trustee in carrying out the trustee's duties as follows:

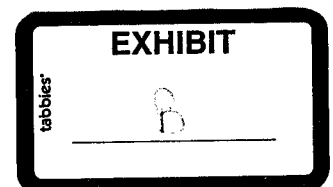
To represent the bankruptcy estate in a personal injury matter.
3. Rutzick Law Offices, P.A. is qualified by reason of practice and experience to render such assistance.
4. Proposed compensation and reimbursement of expenses is as follows: One-third of recovery from third party liability claim, plus costs incurred.
5. Said professional has disclosed to the undersigned that he has the following connections with the debtor, creditors, any other party-in-interest, their respective attorneys and accountants, the United States Trustee or any person employed in the Office of the United States Trustee: Rutzick Law Offices, P.A. also represents the Debtor in the above disputes pre-petition.

WHEREFORE, applicant prays that the Court approve such employment by the trustee.

Dated: December 21, 2009



/s/ Michael J. Iannacone
Michael J. Iannacone, Trustee



UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA
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Debtor.

VERIFIED STATEMENT PURSUANT
TO FEDERAL RULE 2014(a)

I, Steven R Rutzick of Rutzick Law Offices, P.A., the professional named in the application for employment on behalf of the above named bankruptcy estate, declare under penalty of perjury the following:

1. I do not hold or represent any interest adverse to the estate and am disinterested as required by 11 U.S.C. §327.
2. That no member of applicant's business is a creditor, equity security holder, or insider of the debtor; is not and was not an investment banker for any outstanding security of theirs; is not and has not been within three (3) years before the date of the filing of the petition an investment banker for security of the debtor or an attorney for such an investment banker in connection with the offer, sale or issuance of the security of the debtor; is not and was not within two (2) years prior to the date of the filing of the petition, a director, officer, or employee of the debtor or of an investment banker specified above; and does not have an interest materially adverse to the interest of the estate or any class of creditor or equity security holders by reason of any direct or indirect relationship to or connection with or interest in the debtor or an investment banker specified above or for any other reason.

Dated: 12-11-09

Rutzick Law Offices, P.A.

By: _____

Its: President

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA
THIRD DIVISION

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UNSWORN CERTIFICATE
OF SERVICE

I, Krisann Treague, employed by Michael J. Iannacone, attorney licensed to practice law in this Court, with office address of 8687 Eagle Point Blvd., Lake Elmo, Minnesota, declare that on December 21, 2009, I e-mailed copies of the Application to Approve Employment of Agent, Verification and proposed Order to each entity named below at the e-mail address stated below for each entity.

Habbo G. Fokkena, Esq.
United States Trustee
USTPRegion12.MN.ECF@usdoj.gov

And, I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on: December 21, 2009

____/e/ *Krisann Treague*____

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Kurt C. Lensert,

O R D E R

Debtor.

On _____, the Application to Rutzick Law Offices, P.A. as agent came before the undersigned. Based on the Application, the Recommendation of the United States Trustee, and pursuant to the provisions of Title 11, United States Code, § 327,

IT IS HEREBY ORDERED the professional employment applied for is hereby approved subject to the limitations on compensation provided by Title 11, United States Code, § 328.

Dated: _____.

Dennis D. O'Brien
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA
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**UNSWORN DECLARATION
FOR PROOF OF SERVICE**

Deb Kuehn, employed by Steven R. Rutzick, attorney licensed to practice law in this Court, with an office address of 101 East Fifth Street, Suite 2620, St. Paul, Minnesota, declares that on October 27, 2010, I served the annexed MOTION FOR APPROVAL OF ATTORNEY'S FEES AND EXHIBITS upon each of the entities named below by mailing to each of them a copy of thereof by enclosing the same in an envelope with first class mail postage prepaid and depositing the same in the post office at St. Paul, Minnesota, addressed to each of them as follows:

United States Trustee
1015 U.S. Courthouse
300 South Fourth Street
Minneapolis, Minnesota 55415

Mr. Kurt Lensert
225 Burnscrest Boulevard
Burnsville, MN 55337

And, I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: October 27, 2010

Deborah Kuehn